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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,661	12/31/2003	Krishna Bharat	0026-0064	2814
26615	7590	07/05/2006	EXAMINER	
HARRITY SNYDER, LLP 11350 Random Hills Road SUITE 600 FAIRFAX, VA 22030			AHN, SANGWOO	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/748,661	Applicant(s) BHARAT ET AL.	
	Examiner Sangwoo Ahn	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12012004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 2, 5 – 21, and 24 – 29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,990,633 issued to Hitoshi Miyasaka et al (hereinafter “Miyasaka”).

Regarding claim 1, Miyasaka discloses a method of retrieving news content from a news aggregation server (Figure 3, column 3 line 30, et seq.), comprising:

hosting first news content at a first news server (Figure 2B element 44, et seq.);
receiving user input selecting news content of the first news content (column 3 lines 43 – 45, et seq.);

sending query data, associated with the selected news content, to the news aggregation server (Figure 4 element 5, column 4 lines 29 – 31; 34 – 37, et seq.);

receiving second news content from the news aggregation server resulting from a search performed at the news aggregation server using the query data (column 4 lines 31 – 37, et seq.); and

hosting the second news content, in conjunction with the first news content, at the first news server (column 4 lines 31 – 33; 37 – 40, et seq.).

Claim 18 is essentially the same as claim 1 except it sets forth the limitation as “a system” rather than “a method”, therefore rejected based on the rationale discussed in claim 1 rejection.

Regarding claim 2, Miyasaka discloses the query data comprises a Uniform Resource Locator (URL) associated with the selected news content (column 1 lines 32 – 33, column 13 line 16; 31, et seq.).

Regarding claim 5, Miyasaka discloses the news aggregation server aggregates news content from a plurality of news sources and groups the news content (column 4 lines 31 – 40, et seq.).

Regarding claim 6, Miyasaka discloses the search involves comparing the URL with the grouped news content to determine a group from the grouped news content to which the URL belongs (column 1 lines 33, column 4 line 14, column 13 lines 30 – 32, et seq.).

Regarding claim 7, Miyasaka discloses the query data comprises a textual portion of the selected news content (Figure 5C, et seq.).

Regarding claim 8, Miyasaka discloses the news aggregation server generates a search query for use in the search based on the textual portion of the selected news content (Figure 5C, column 3 lines 29 – 31; 34 – 37, et seq.).

Regarding claim 9, Miyasaka discloses the textual portion of the selected news content comprises key words of the selected news content (Figure 5C, et seq.).

Regarding claim 10, Miyasaka discloses a method of creating custom news documents, comprising:

periodically producing one or more custom search queries related to news of interest (Figure 5E, et seq.);

sending the one or more search queries at periodic intervals across a network to a news search server that aggregates news from a plurality of news sources (column 4 lines 34 – 37, et seq.);

receiving news content corresponding to the one or more search queries from the news search server (column 4 lines 9 – 12, et seq.);

inserting the news content into the custom news documents (column 3 lines 45 – 49, et seq.); and

permitting access to clients, from across the network, to the custom news documents (Figure 3, column 3 line 67 – column 4 line 2, et seq.).

Claim 14 is essentially the same as claim 10 except it sets forth the limitation as “a system” rather than “a method”, therefore rejected based on the rationale discussed in claim 10 rejection.

Regarding claim 11, Miyasaka discloses news content inserted into the custom news documents is updated at periodic intervals (Figure 5E, et seq.).

Regarding claim 12, Miyasaka discloses the news search server executes a search using the one or more search queries to retrieve the news content (Figures 5B – 5C, column 4 lines 34 – 37, et seq.).

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Regarding claim 13, Miyasaka discloses the custom news documents are stored at a custom news server that is remote from the news search server (Figure 3, et seq.).

Regarding claim 15, Miyasaka discloses a method of providing news content to an external server that hosts customized news content, comprising:

- fetching news content from a plurality of news source servers (column 4 lines 34 – 37, et seq.);

- aggregating the news content (column 4 lines 34 – 40, et seq.);

- periodically receiving one or more search queries from the external server (column 4 lines 29 – 37, et seq.);

- searching the aggregated news content based, at least in part, on the one or more search queries (column 3 lines 9 – 12; 29 – 31, et seq.); and

- periodically providing news content to the external server based on results of the searches (Figure 3, et seq.).

Claim 16 recites receiving compensation from an entity associated with the external server for providing the news content to the external server. It is inherent and also well known in the art that news content provider service (column 16 line 20 – column 17 line 67, et seq.) gets compensated for their service by users/subscribers.

Regarding claim 17, Miyasaka discloses a system for providing client access to customized news content, comprising:

- a custom news source server configured to:

- periodically send one or more customized search queries to a news search server (Figure 5E, et seq.);

wherein the news search is configured to:

store news content from a plurality of news source servers (column 4 lines 34 – 37, et seq.),

periodically receive the one or more search queries from the custom news source server (Figure 5E, et seq.),

search the stored news content based on the one or more search queries (column 3 lines 9 – 12; 29 – 31, et seq.), and

periodically provide news content to the custom news source server based on results of the searches (Figures 3 and 5E, et seq.);

wherein the custom news source server is further configured to permit access to clients, from across a network, to the news content provided by the news search server (Figure 3, column 3 line 67 – column 4 line 2, et seq.).

Regarding claim 19, Miyasaka discloses a method of retrieving news content from a news server, comprising:

permitting client access to first news content contained in one or more news documents stored at a custom document server (Figure 3, column 3 line 67 – column 4 line 2, et seq.);

sending query data to the news server based, at least in part, on a portion of the first news content that is accessed by the client (column 4 lines 29 – 31; 34 – 37, et seq.);

receiving second news content from the news server based, at least in part, on the query data (column 4 lines 31 – 37, et seq.);

incorporating the second news content into the one or more news documents (column 4 lines 34 – 40, et seq.); and

permitting client access to the second news content at the custom document server (Figure 3, column 3 line 67 – column 4 line 2, et seq.).

Claim 29 is essentially the same as claim 19 except it sets forth the limitation as “a custom news server” rather than “a method”, therefore rejected based on the rationale discussed in claim 19 rejection.

Regarding claim 20, Miyasaka discloses the news server executes a search, using the query data, to retrieve the second news content (column 4 lines 34 – 37, et seq.).

Regarding claim 21, Miyasaka discloses the query data comprises a Uniform Resource Locator (URL) associated with the selected news content (column 1 lines 32 – 33, column 13 line 16; 31, et seq.).

Regarding claim 24, Miyasaka discloses the news server aggregates news content from a plurality of news sources and groups the news content (column 3 lines 45 – 49, column 4 lines 34 – 40, et seq.).

Regarding claim 25, Miyasaka discloses the search algorithm compares the URL with the grouped news content to determine a group from the grouped news content to which the URL belongs (column 1 lines 33, column 4 line 14, column 13 lines 30 – 32, et seq.).

Regarding claim 26, Miyasaka discloses the query data comprises a textual portion of the selected news content (Figure 5C, et seq.).

Regarding claim 27, Miyasaka discloses the news aggregation server generates a search query for use in the search based on the textual portion of the selected news content (Figure 5C, column 3 lines 29 – 31; 34 – 37, et seq.).

Regarding claim 28, Miyasaka discloses the textual portion of the selected news content comprises key words of the selected news content (Figure 5C, et seq.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 – 4 and 22 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka in view of U.S. Publication Number 2002/0103809 issued to Timothy W. Starzl et al (hereinafter “Starzl”).

Regarding claim 3, Miyasaka discloses the query data comprising the URL.

Miyasaka does not explicitly disclose a server that's capable retrieving at least a portion of text of the news content.

However, Starzl discloses a server that's capable retrieving at least a portion of text of the news content (paragraph 14 lines 5 – 16; 18 – 23, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to combine the two references because Starzl's text retrieval method would have enabled Miyasaka's system to retrieve most relevant content by using the keyword information (which is obtained from the news content) contained in the query.

Regarding claim 4, Starzl discloses the at least a portion of the text of the selected news content comprises key words of the selected news content (paragraph 14 lines 5 – 16; 18 – 23, et seq.).

Claims 22 and 23 are also rejected based on the rationale discussed in claims 3 and 4 rejections.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Number 6,981,040 issued to Yochai Konig et al discloses a method for providing automatic, personalized information services to a computer user.

U.S. Publication Number 2004/0006743 issued to Kazushige Oikawa et al discloses a method for re-editing and redistributing a WWW document according to a user's will.

U.S. Publication Number 2002/0124055 issued to Richard R. Reisman discloses a method for operating a user station configured for communications with a multiplicity of independently operated data sources via a non-proprietary network.

U.S. Patent Number 6,516,337 issued to Gary W. Tripp et al discloses a search engine utilizing a bottom-up approach to index the content of a network instead of relying on atop-down approach.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sangwoo Ahn whose telephone number is (571) 272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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